

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON 5' DRAINAGE/UTILITY EASEMENTS ON EACH SIDE OF THE COMMON LOT LINE BETWEEN LOTS 8 AND 9, BLK 3, UNIT 10, PHASE 2, HANCOCK COUNTY, MS LOCATED WITHIN THE CITY OF DIAMONDHEAD

WHEREAS, the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently possesses 5' drainage and utility easements on Lots 8 and 9, Blk 9, Unit 10, Phase 2. The request is to abandon 5' of drainage and utility easements on each side of the common lot line between 8 and 9 Phase 2, Unit 10, Block 3 (see Exhibit A dated 8-3-2020 by Duke Levy).
2. Kathleen Criss are the owner of this property and have submitted plans to construct a house. The newly assigned address is 6414 Iona Street.
3. Comments from the Diamondhead Water and Sewer District, Diamondhead Public Works Department, Coast Electric Power Association have no objections.
4. Further, the City hereby abandons and/or vacates the 5' of drainage and utility easements on each side of the common lot line between lots 8 and 9 Phase 2, Unit 10, Block 3. (see Exhibit A dated 8-3-2020 by Duke Levy), notwithstanding, retaining the 10' drainage and utility easements on the front and rear of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements as described in bullet #4.

SECTION 2. It is agreed and understood that Kathleen Criss or their representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember L'Ecuyer, seconded by Councilmember Morgan and the question being put to a roll call vote, the result was as follows:

Aye Nay Absent

Resolution 2020-070
Agenda Item 2020-288

Mayor Pro Depreo	<input checked="" type="checkbox"/>	___	___
Councilmember Moran	___	___	<i>Absent</i>
Councilmember Morgan	<input checked="" type="checkbox"/>	___	___
Councilmember Clark	<input checked="" type="checkbox"/>	___	___
Councilmember L'Ecuyer	<input checked="" type="checkbox"/>	___	___

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor Pro Temp declared the motion carried and the resolution adopted, this the 20th day of October, 2020.

Nancy Depreo

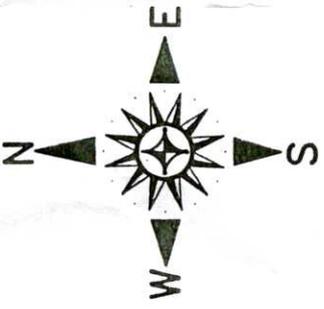
MAYOR PRO TEM

ATTEST:
Pannie Klein

CITY CLERK



PLOT PLAN



LEGEND:

- ☒ CENTERLINE
- IRON ROD FOUND
- IRON ROD SET
- ⊗ IRON PIPE FOUND
- ⊞ FENCE CORNER POST
- ⊘ POWER POLE
- APS AS PER SURVEY
- APR AS PER RECORD



LEGAL DESCRIPTION:
 A survey of Lots 8 and 9, Block 3, Diamondhead Subdivision, Phase 2, Unit 10, City of Diamondhead, Hancock County, Mississippi.

Exhibit A



In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

[Signature]
 Duke Levy, RLS #1722

2020 12727
 Record Book & Page

DUKE LEVY & ASSOCIATES, P.A.
 4412 LEISURE TIME DRIVE
 DIAMONDHEAD, MS 39525
 (228) 467-5212 PHONE



SCALE: 1" = 30'	DATE: 08-03-2020
DRAWING: WO# 2020-135	CLIENT: Kathleen Criss

Hancock County
 I certify this instrument was filed on 10-26-2020 02:23:46 PM and recorded in Record Book 12727 at Page 12727.



REFERENCES:

- 1) DEED BOOK 2015 PAGE 2281
- 2) PLAT OF DIAMONDHEAD SID, PHASE 2, UNIT 10

NOTES:
 Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS